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7 Attorney for Plaintiff  
8 Technology Licensing Company Inc.

9 \*E-FILED - 1/29/09\*

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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15  
16 TECHNOLOGY LICENSING CO. INC.,

17 Plaintiff

18 vs.

19 RADIO SHACK CORPORATION

20 Defendant

21 CASE NO. CV 08 3800 RMW

22 **REQUESTS AND [PROPOSED] ORDER**  
23 **FOR CONTINUING INITIAL CASE**  
24 **MANAGEMENT CONFERENCE**

25 **Requests for Continuance of Initial Case Management Conference**

26 Plaintiff TECHNOLOGY LICENSING CO. INC. (“TLC”) respectfully requests a  
27 continuance of the Initial Case Management in this matter.

28 The Initial Case Management Conference is currently set for January 30, 2009 at 10:30  
AM.

This Request is being supported by a Declaration from Kao Lun, attorney for

1 America Action Inc. which sells to Defendant, Radio Shack Corporation, the DVD products  
2 which are in dispute. The Declaration states in part:  
3  
4

5 Radio Shack is the retailer of DVD players supplied by America Action Inc.  
6 America Action is a defendant to TLC in the lawsuit: *TLC v. America Action*  
7 *Inc.*, Civil Action No. 3:08-cv-3803.  
8

9 DVD players are the devices which are alleged to infringe the patent made  
10 subject of this lawsuit, as well as the lawsuit *TLC v. America Action Inc.*  
11

12 The settlement agreement between TLC and America Action Inc. has been  
13 prepared and sent to Taiwan for execution by the President of America Action.  
14 Inc.  
15

16 The settlement agreement has not been signed by the President of America Action  
17 because of Chinese holidays.  
18

19 It is my understanding that once TLC and America Action have signed the  
20 settlement agreement and America Action has complied with the settlement terms  
21 (i.e., transfer of appropriate funds), the lawsuit *Technology Licensing Co. v. Radio*  
22 *Shack* will be dismissed.  
23

24 It is anticipated that *TLC v. America Action Inc.* will settle within the next 2 weeks, and  
25 when settled, the subject lawsuit will be dismissed.  
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27 TLC respectfully seeks a continuance of the Initial Case Management Conference to  
28 February 13 2009 at 10:30 AM, or to whatever date and time thereafter as set by the Court.  
29

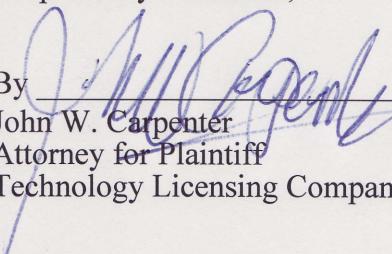
30 This is the second request for a time modification of the Initial Case Management in this  
31 matter.  
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33 The present requested time modification would have no material effect on the schedule for  
34 this case.  
35

1 Accordingly, it is hereby requested that the Initial Case Management Conference in this  
2 matter by continued to **February 13, 2009 at 10:30 AM.**, or to whatever date and time thereafter  
3 as set by the Court.

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7 DATED: January 29, 2009  
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Respectfully submitted,

By   
John W. Carpenter  
Attorney for Plaintiff  
Technology Licensing Company, Inc.

14 **ORDER**  
15  
16 PURSUANT TO PLAINTIFF'S REQUEST AND UPON GOOD CAUSE SHOWN, IT  
17 IS SO ORDERED.  
18

Dated 1/29, 2009

**\*No further continuances.**

  
Hon. Ronald M. Whyte  
United States District Judge

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31 Plaintiff  
32 vs.  
33 RADIO SHACK CORPORATION  
34 Defendant

35 CASE NO. CV 08 3800 RMW

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1 2. Radio Shack is the retailer of DVD players supplied by America Action Inc.

2 3. America Action is a defendant to TLC in the lawsuit: *TLC v. America Action Inc.*, Civil  
3 Action No. 3:08-cv-3803.

4 4. DVD players are the devices which are alleged to infringe the patent made subject of  
5 this lawsuit, as well as the lawsuit *TLC v. America Action Inc.*.

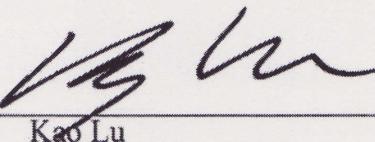
6 5. The settlement agreement between TLC and America Action Inc. has been prepared  
7 and sent to Taiwan for execution by the President of America Action. Inc.

8 6. The settlement agreement has not been signed by the President of America Action  
9 because of Chinese holidays.

10 7. It is my understanding that once TLC and America Action have signed the settlement  
11 agreement and America Action has complied with the settlement terms (i.e., transfer of  
12 appropriate funds), the lawsuit *Technology Licensing Co. v. Radio Shack* will be dismissed.  
13

14 8. I declare under penalty of perjury under the laws of the United States of America that  
15 the foregoing is true and correct.

16 Executed on this 28 day of January, 2009 at Havertown, Pa.

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Kao Lu